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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )

Terry E. Thomas, Carrie Peters and Peter )  
Lansdorp )

Art Unit: 1644

Serial No.: 09/822,823 )

Examiner: David A. Saunders

Filed: April 2, 2001 )

For: Method For Separating Cells )  
Using Immunorosettes )

Commissioner of Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
U.S.A.

Dear Sir:

**DECLARATION UNDER 37 CFR 1.132 OF TERRY E. THOMAS***Ok to  
enter  
Def*  
1/15/04  
I, Terry E. Thomas, do declare and state that:

I am an inventor named in the above-referenced patent application which describes a method for selecting cells using a novel immunorosetting method.

I am a co-author along with Carrie E. Peters, Peter M. Lansdorp and Cyndy L. Nauer on the Peters et al Abstract that was published in the FASEB Journal 14, A989 on April 20, 2000 (hereinafter "the Abstract"). Carrie E. Peters and Peter M. Lansdorp are co-inventors of the above referenced patent application. Cyndy L. Nauer is not an inventor of the above referenced patent application.